

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

vs.

CASE NO. 99-CR-299-04(PG)

ALEX MORALES-ORTIZ

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS
AND REQUEST FOR A WARRANT**

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Miriam Figueroa, U.S. Probation Officer of this Court, presenting an official report on the conduct and attitude of releasee, Alex Morales-Ortiz, who on October 4, 2000 was sentenced to sixty (60) months of imprisonment after pleading guilty of violating Title 21, U.S.C. § 846 and 841 (a) (1), to be followed by an eight (8) year supervised release term. Mr. Morales was released from custody on March 19, 2004. However, on May 16, 2006, his supervised release term was revoked wherein an imprisonment term of twelve (12) months was imposed followed by a supervised release term of forty-eight (48) months. On April 23, 2007, Mr. Morales was released from custody.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

Since his release from custody the offender had complied with his conditions until he incurred in the following violations:

1. SPECIAL CONDITION NO. 2- “THE DEFENDANT SHALL PARTICIPATE IN A SUBSTANCE ABUSE TREATMENT PROGRAM (IN-PATIENT OR OUT-PATIENT) AND SUBMIT TO RANDOM URINALYSIS, NOT TO EXCEED 104 SAMPLES PER YEAR, IN ACCORDANCE WITH THE DRUG AFTERCARE PROGRAM POLICY OF THE U.S. PROBATION OFFICE APPROVED BY THIS COURT. THE DEFENDANT IS REQUIRED TO CONTRIBUTE TO THE COST OF SERVICES RENDERED (CO-PAYMENT) BASED ON THE ABILITY TO PAY OR AVAILABILITY OF THIRD PARTY PAYMENTS, AS APPROVED BY THE COURT”.

On April 23, 2007, offender was released from custody and placed in an out-patient drug treatment program. On September 7, 2007, he tested positive to cocaine and morphine. Therefore, on September 19, 2007, he was referred to the Methadone treatment program since prior to his first revocation offender had been placed in the Burphenorphine program, specially designed for heroin users, but he then discontinued same. However, on November 8, 2007, offender again tested positive to cocaine and heroin but was allowed to remain in both the Methadone and out-patient drug treatment programs. On December 17, 2007, offender admitted having used heroin on December 13, 2007. In January 2008, Mr. Morales abandoned the Methadone and out-patient drug treatment programs. Due to the aforementioned, offender was granted the opportunity to engage in an in-patient drug treatment program and on February 27, 2008, he entered Hogar Crea but abandoned same the following day. He then agreed to re-enter said

program on March 3, 2008 but once again failed to do so. Additionally, during the aforementioned period offender failed to provide surprise urine specimens on seventeen (17) occasions.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. In lieu of the aforementioned, it is respectfully requested that, unless ruled otherwise, a warrant be issued for Mr. Morales' arrest so that he may appear before this Honorable Court to show cause why his supervised release should not be revoked. Thereupon, he be dealt with pursuant to law.

In San Juan, Puerto Rico, this 13th day of March 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

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CERTIFICATE OF SERVICE

I HEREBY certify that on March 13, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Juan E. Milanes, Assistant U.S. Attorney and Joannie Plaza, Assistant Federal Public Defender.

At San Juan, Puerto Rico, March 13, 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

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